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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,191	02/25/2004	Norihito Fujita	040405-0367	7417
22428 7590 05/29/2009 FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007				
EXAMINER				
RICHARDSON, THOMAS W				
ART UNIT		PAPER NUMBER		
2444				
MAIL DATE		DELIVERY MODE		
05/29/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/785,191

**Applicant(s)**

FUJITA ET AL.

**Examiner**

THOMAS RICHARDSON

**Art Unit**

2444

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 18, 20, 23-27, 47, 49, 54 and 59 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18, 20, 23-27, 47, 49 and 54 is/are allowed.
- 6) ☒ Claim(s) 59 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

Claims 18, 20, 23-27, 47, 49, 54, and 59 are pending for examination.

Claims 18, 23, 24, 47, and 54 are amended.

Claims 18, 20, 23-27, 47, 49, and 54 are allowed.

Claim 59 is rejected.

***Response to Arguments***

1. Applicant's arguments with respect to claim 59 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claim 59 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 7 334 049, Somasundaram et al and US 7 406 538, Berg.

4. As per claim 59, Somasundaram teaches a packet transfer method of transferring a plurality of packets from a destination to each of a plurality of clients, said method comprising:

receiving, at a packet transfer device, a first name resolution response message transmitted from a name resolution server to a first client of said clients, said first name resolution response message including a first IP address corresponding to said destination and one or more first packet transfer information fields;

receiving, at the packet transfer device, a second name resolution response message transmitted from the name resolution server to a second client of said clients,

said second name resolution response message including an IP address corresponding to said destination and one or more second packet transfer information fields, said second IP address being different from said first IP address;

rewriting a routing table to include said first and said second IP addresses and said one or more first and said one or more second packet transfer information fields;

controlling said transfer of said packets from said destination to said first client according to said first IP address and said one or more first packet transfer information fields; and

controlling said transfer of said packets from said destination to said second client according to said IP address and said one or more second packet transfer information fields.

Somasundaram does not expressly teach a DNS with multiple server addresses. Berg teaches a method for identifying a device in a network comprising:

receiving, at a packet transfer device, a first name resolution response message transmitted from a name resolution server to a first client of said clients, said first name resolution response message including a first IP address corresponding to said destination and one or more first packet transfer information fields (column 8, lines 38-48, where a DNS server may respond with several server addresses of the same URL such that they may be responded to in a round robin or another manner);

receiving, at the packet transfer device, a second name resolution response message transmitted from the name resolution server to a second client of said clients, said second name resolution response message including a second IP address

corresponding to said destination and one or more second packet transfer information fields, said second IP address being different from said first IP address (column 8, lines 38-48, where a DNS server may respond with several server addresses of the same URL such that they may be responded to in a round robin or another manner).

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize multiple server addresses such as taught by Berg in a DNS server system such as that taught by Somasundaram. Somasundaram's system generally allows a DNS server to interact through a NAT. A DNS server with multiple server addresses such as taught by Berg would be beneficial in such a system, as it is well known in the art that a single URL may have several servers with separate addresses, as this helps the server group offload processing and traffic.

***Allowable Subject Matter***

5. Claims 18, 20, 23-27, 47, 49, and 54 are allowed.
6. The following is an examiner's statement of reasons for allowance:
7. The closest prior art cited is Somasundaram (US 7 334 049). Somasundaram discloses a packet transfer device for controlling a transfer of a plurality of packets between a client and a destinations, said packet transfer device, comprising a DNS proxy unit for receiving a name resolution response message transmitted from a name resolution server to said client, said name resolution response message including an IP address corresponding to said destination and one or more packet transfer information fields, and for rewriting a routing table of said DNS proxy unit to include said IP address and said one or more packet transfer information fields (column 7, line 63 to column 8,

line 6), wherein said DNS proxy unit is configured to control said transfer of the packets between said client and said destination according to said one or more packet transfer information fields (column 7, line 63 to column 8, line 22), and wherein said one or more packet transfer information fields include at least one of a packet transfer priority field, a logical network identifier, and a logical channel identifier (column 11, line 10).

8. The prior art references of record do not teach alone or in combination all the limitation together within independent claim 18. For example, the independent claims contain the limitation of routing a packet wherein the packet contains transfer information fields including the packet transfer priority field wherein the packet transfer device further comprises a user information obtaining unit which obtains attribute information regarding a sender of a name resolution request message transmitted from said client to said name resolution server, wherein said DNS proxy unit, upon receiving said name resolution request message, obtains said attribute information regarding the sender of said name resolution request message through said user information obtaining unit and transmits said name resolution request message with said attribute information added to said name resolution server, and wherein said attribute information includes at least one of a login identifier of the sender, information identifying a geographic location of the sender, information identifying a type of a sender device used by the sender in sending the name resolution request message, and information identifying a type of a network coupling the sender device to the name resolution server. Somasundaram generally teaches routing DNS queries through a packet transfer device, but does not teach or suggest alone or in combination with other cited

references the combination of all limitations recited in the independent claim 18.

Therefore, independent claim 18, and also similar independent claims 47 and 54, along with their dependent claims, contain allowable subject matter and are cited as allowable over the prior art of record.

9. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THOMAS RICHARDSON whose telephone number is (571) 270-1191. The examiner can normally be reached on Monday through Thursday, 8am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TR  
/William C. Vaughn, Jr./  
Supervisory Patent Examiner, Art Unit 2444